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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,231	10/01/2001	Jean-Paul Menard	15675P360	2330

7590 05/08/2003
Blakely Sokoloff Taylor & Zafman
12400 Wilshire Blvd 7th Floor
Los Angeles, CA 90025-1026

EXAMINER

WARREN, DAVID S

ART UNIT	PAPER NUMBER
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2837

DATE MAILED: 05/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/869,231

Applicant(s)

MENARD, JEAN-PAUL

Examiner

David S. Warren

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 11 and 13 – 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Harvey et al. ('729). As stated in the previous office action, Harvey discloses the elements of applicant's claim 1. The applicant argues (and has amended claim 1 to reflect that argument) that Harvey discloses a module for acquiring geophysical signals that includes a casing that is "individually linked to one track." The Harvey reference discloses that "[u]sually a sensor group will contain one to thirty geophones electrically interconnected to form a single data channel" (emphasis added). If Harvey were to use a single geophone, as is a suggested possibility, the Harvey reference will meet the applicant's claim 1. Regarding newly added independent claim 16, Harvey shows a plurality of tracks individually attached to a plurality of casings (as in the situation described above), the cable of Harvey has a connector to connect to a another module (cable 20 connects to other modules) and an adapter (40). The examiner appreciates the applicant's assistance with understanding the difference between "connector" and "adapter." However, as defined by applicant (page 8 of the amendment received 2/20/03), in the case of Harvey, the connector also effects an

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electrical link as well as a mechanical link. The rejection of claims 2 – 5 are as stated in the previous office action.

Regarding claim 6, Harvey discloses an overvoltage limiter (col. 4, first paragraph). This is equivalent to applicants "spark arrester" – as the applicant admits on page 12, paragraph 4) of the specification. Regarding claim 7, the rigid member (14) of Harvey "carries" an electrical processing means (50). Regarding claim 8, gasket 16 provides leaktightness. Regarding claim 9, the gasket is a seal circumscribed by lugs (not shown – but holes therefore can be seen in figure 1). Regarding claim 10, the platen is considered to be the opposite face of housing 12. Regarding claim 11, the lugs will project toward the platen – see figure 1. Regarding claim 13, this is inherent in light of the arguments above, i.e., the sensor is outside the casing, so there must be a port to communicate within the casing. Regarding claims 14 and 15, as defined by the applicant, an adapter "effects an electrical link" – the casing of Harvey must inherently have two electrical connections (20, 40) – these appear to be "nonremovable" in the same sense as that that appears in applicant's figures 4 and 6b.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Harvey et al. in view of Richardson (3855566). The teachings of Harvey are discussed supra.

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Harvey does not disclose the use of a hermaphroditic connector. Richardson discloses the use of a hermaphroditic seal for seismic geophysical cables. It would have been obvious to one of ordinary skill in the art to combine the teachings of Harvey and Richardson to obtain a casing comprising a hermaphroditic seal. The motivation for making this combination is found in Richardson: "Identical connecting halves prevent having to swap the ends as is the case where the connecting halves are not identical."

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David S. Warren whose telephone number is 703-308-5234. The examiner can normally be reached on M-F, 9 A.M. to 5:30 P.M..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Nappi can be reached on 703-308-3370. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-9529 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.


dsw

April 30, 2003


ROBERT E. NAPPI
SUPERVISORY PATENT EXAMINER
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